

a1 9 10. (Amended) A portable filtering pump assembly for pumping and filtering a fluid, the assembly comprising a pump subassembly and a filter subassembly;

the pump subassembly comprising:

a case;

a motor disposed within the case and having a central shaft;

a pickup tube attached to the case and extending downwardly therefrom, said pickup tube having an upper end and a lower end and defining a first flow passage therein;

a drive shaft coaxially disposed in the pickup tube and operatively attached to the central shaft of the motor for movement thereby;

an impeller attached to the drive shaft substantially opposite the motor;

an impeller housing attached to the lower end of the pickup tube and surrounding the impeller, said impeller housing having an outer wall;

an outlet port disposed proximate the upper end of the pickup tube and defining a second flow passage therein which is in fluid communication with the first flow passage;

and the filter assembly comprising

a foraminous cage operatively attached to, and partially surrounding the impeller housing;

and

a filter element formed of a porous material for placement in covering relation to the cage member.

Please insert the following new claims:

a2 10 11. (New) The pump assembly of claim 1, wherein the pump subassembly comprises a case comprising a battery housing for storing one or more batteries therein, and an electric motor disposed within the case below the battery housing.

¹¹
~~12~~. (New) The pump assembly of claim 1, wherein said cage member comprises a foraminous basket with a plurality of apertures formed therein;

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~~13~~. (New) The pump assembly of claim ⁹~~10~~, wherein said cage member comprises a foraminous basket with a plurality of apertures formed therein;

and wherein said basket includes an integrally formed collar extending outwardly thereon, said collar having an opening formed centrally therein to slidably and interferingly receive said inlet portion of said pump subassembly therein.

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~~14~~. (New) The pump assembly of claim ⁹~~10~~, wherein the impeller housing comprises means for supporting a portion of the drive shaft.

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~~15~~. (New) The pump assembly of claim ¹³~~14~~, wherein said drive shaft support means comprises an eyelet for receiving the shaft therethrough, and a plurality of support arms interconnecting said eyelet to the outer wall of the impeller housing.

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~~16~~. (New) The pump assembly of claim ⁹~~10~~, wherein the case has a battery storage compartment formed therein, and wherein the motor is disposed below the battery storage compartment.

Summary of the Examiner's Position in the Office Action

In the above-identified Office Action, the Examiner objected to a typographical error in the specification on Page 9, line 7.

The Examiner also objected to the drawings under 37 C.F.R. 1.83(a) on the basis of applicant omitting illustration of a manually operable pump assembly.

Section 112 Rejections

In the above-identified Office Action, the Examiner rejected Claim 7 under 35 U.S.C. 112, second paragraph, as containing subject matter which was not described in the specification in such a manner as to enable one skilled in the art to make and/or use the invention. Specifically, the Examiner objected to a lack of detail describing and showing how a manually operated version of the apparatus would be structured.

Section 103 rejections

Also in the Office Action, the Examiner rejected Claims 1, 2, 4-6 and 8-10 under 35 USC section 103(a) as unpatentable over Carpenter in view of Griffin. The Examiner further rejected Claim 3 as unpatentable over Carpenter in view of Griffin and Hall, and rejected Claim 7 under 35 USC 103(a) as unpatentable over Carpenter in view of Griffin and Foughty.

REMARKS

Upon entry of the present amendment, Claims 1 through 6 and 8-10 remain in the application. New claims 11-16 have been added by the present amendment.

The above-identified Office Action has been reviewed, the references carefully considered, and the Examiner's comments carefully weighed. In view thereof, the present Amendment is submitted. It is contended that by the present amendment, all bases of rejection set forth in the Office Action have been traversed and overcome.